

February 23, 2012

Mr. James Wasilak
Mr. Castor Chasten
City of Rockville CPDS
111 Maryland Avenue
Rockville, MD 20850

Re: Upper Rock District Block D Entrance Median Green Space
Site Plan Application Level 1 - Statement of Justification
Our File No. 105-043-046

Dear Jim and Cas:

JBG/Market Square II, L.L.C., the owner of the median in the monumental entrance from Choke Cherry Road into the Upper Rock District, is filing for a Level 1 Site Plan for green space improvements and landscaping in the entrance median including a project sign. The subject tract is "Block D" of the Preliminary Development Plan PDP2004-0007. The subject tract currently is part of Ownership Lot 9D-1 but is proposed Ownership Lot 9-J under the approved Phase II ownership plat which is to be recorded shortly. The subject tract is the median created between the lanes of Upper Rock Boulevard which is the monumental entrance into the Upper Rock District Project from Choke Cherry Road. To provide perspective on the scale of Block D at 21,014 square feet in size, it is larger in area than Town Square in Rockville Town Center which is approximately 16,000 square feet in size. Block D is approximately 250 feet long and 75 feet wide.

BACKGROUND. The Mayor and Council in PDP2004-0007 approved a combination of uses for Block D including a gathering space for the community, landscaping, project signage, sidewalks and streetscape, and a mixed use "marketplace" for retail, office and community space. Site Plans USA2006-00696A&C have been approved by the Planning Commission for the first two residential buildings in Phase I of the Upper Rock District. These buildings are under construction immediately adjacent to Block D. Those Phase I Site Plans included plans for the Block D median with perimeter sidewalks and street trees only.

INTENT. It is important that the new residents and existing office workers experience an immediate transformation of the project from the start with a bold open space at the entrance to the Project which will provide both a green respite and the gathering space where new and old, residents and office tenants, will interact to create a new community. This site plan is for that bold new open space and provides a gathering space with seating, lawns and landscaping, sidewalks and streetscape, and project signage. No commercial square footage is proposed under this site plan application. However, the space has been designed to accommodate a future marketplace within the expansive lawn area when desired, under a future site plan application in a future phase of the Upper Rock District.

DESCRIPTION. The proposed Block D site plan includes an expansive bermed lawn, organically shaped planting beds with trees, evergreens and perennials, low walls for interest, and sweeping pedestrian paths of varying hard and soft surface materials leading through the space to a stone plaza with outdoor seating and tables shaded by a soaring fabric shade structure. The perimeter streetscape on Block D includes brick paver sidewalks and standard Upper Rock District street trees and tree lawns. The internal sidewalks and paths include materials varying from tinted concrete, brick pavers, and stone pavers to stone dust. Boulders are playfully located throughout Block D to provide design connectivity to the boulders utilized around the adjoining office building that satisfy that building's federal security requirements and also, to make a play on the Upper "Rock" project name.

CONSISTENCY WITH PDP. The proposed site plan is consistent with the Preliminary Development Plan PDP2004-0007 as the initial implementation of gathering space and landscaping on Block D. Although the street section exhibits to the PDP2004-0007 resolution reflect a standard 8 foot sidewalk width adjacent to the "marketplace" on Block D, the Mayor and Council in Section 7 of the PDP resolution (page 15) expressly permit minor deviations from the sidewalk cross-sections to be approved as part of site plan approvals without further amendment of the PDP. See pertinent Section 7 of the PDP attached.

This proposed site plan for Block D includes perimeter sidewalks of varying widths from 6'-0" typical on the north side and 7'-5" typical on the south side widening out as the perimeter sidewalk meets the shared bike path along Choke Cherry Road on the east and the pedestrian crossings to Upper Rock Circle on the west. The narrower sidewalks are more appropriately scaled for the open space than the 8'-0" sidewalks which were shown in the PDP adjacent to a two story marketplace. The brick paver materials of the perimeter sidewalks are consistent with the sidewalk materials and pattern in the sidewalks on the opposite side of the street adjoining the residential buildings.

The Applicant requests that the perimeter sidewalks at the smaller widths proposed be approved as a minor deviation from the PDP.

SIGN. The site plan proposes a location for a monument project sign in the northeast corner of Block D along the entry road into the Upper Rock Project. The sign does not encroach on any public easement areas and is setback from Choke Cherry Road a minimum of 30 feet.

LANDSCAPE MANUAL. The site plan proposes large scale open space and functional green space within Block D. The proposed plantings are consistent with the Landscape Manual. The perimeter streetscape provides trees, tree lawns and soils, and lighting consistent with the Landscape Manual.

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FOREST CONSERVATION. Block D is within the area identified as "Phase III" of the Upper Rock District on the preliminary forest conservation plan for Phase II and Phase III reviewed as part of the Phase II site plans (USA2004-00696B and STP2011-00087).

STORMWATER MANAGEMENT. Block D is within the area of the overall Stormwater Concept Plan approved for the Upper Rock District project.

APFO. This site plan is for accessory green area to an integrated mixed use project for which adequate public facilities standards have been tested and met for the commercial and residential development.

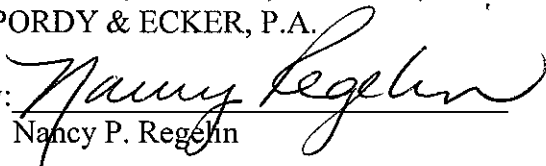
PARKING. No parking is required for the open space on Block D. For informational purposes, on-street parking is provided on Upper Rock Boulevard under previously approved site plans.

The Applicant submits the following materials in support of this site plan application:

1. Site Plan Application for Level 1 Site Plan.
2. Site Plan filing fee \$1500.00. (No sign fee is required for Level 1.)
3. This Statement of Justification letter dated February 23, 2012.
4. 12 sets of the Site Plan.
5. 6 sets of the Landscape Plan.
6. A copy of Section 7 of PDP2004-0007.
7. CD of plans and the Statement of Justification and Site Plan Application.

Please process this application as expeditiously as possible. As discussed, the Applicant would like to implement the green space proposed in this application concurrent with the occupancy of the residential buildings in Phase I this spring 2012. Thank you in advance for your attention to this application.

Sincerely,
SHULMAN, ROGERS, GANDAL,
PORDY & ECKER, P.A.

By: 
Nancy P. Regehn

Enclosures

cc : Matt Valentini -- JBG
Jorgen Punda and John Malone -- Gables
Patricia Harris, Esquire -- Lerch Early et al, counsel to Gables
KC Reed - LSA